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jc882 U.S. PRO
05/22/01

Practitioner's Docket No. 112/002/CON1

PATENT

Preliminary Classification:
Proposed Class: 435
Subclass:

JC996 U.S. PRO
09/863125
05/22/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Elizabeth S. Light

For (title): Method For Detecting Single Gene Copies *in situ*

1. Type of Application

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

[x] deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents,
Washington, D.C. 20231.

37 C.F.R. Section 1.8(a)

37 C.F.R. Section 1.10*

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Date: May 22, 2001

Signature

Huw R. Jones
(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(New Application Transmittal--page 1 of 5)

This transmittal is for a continuation application.

2. Benefit of Prior U.S. Application (35 U.S.C. Sections 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

20 Page(s) of Specification

3 Page(s) of Claims

3 Sheet(s) of Drawing(s)--Informal

The enclosed drawings are photographs, and there is also attached a "PETITION TO ACCEPT PHOTOGRAPHS AS DRAWINGS." 37 C.F.R. Section 1.84(b).

B. Other Papers Enclosed

2 Page(s) of declaration and power of attorney

1 Page(s) of abstract

3 ~~1~~ Page(s) of Preliminary Amendment

4. Additional Papers Enclosed

Preliminary Amendment - 3 pages

5. Declaration or Oath

Copy enclosed and executed by inventor.

6. Inventorship Statement

The inventorship for all the claims in this application is the same.

7. Language

English

8. Assignment

An assignment of the invention to Ventana Medical Systems, Inc. is attached.

9. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$690.00
Total Claims (37 CFR 1.16(c))	7	- 20 =	0 x	\$18.00	\$0.00
Independent Claims (37 CFR 1.16(b))	2	- 3 =	0 x	\$78.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$260.00	\$0.00
Filing Fee Calculation					\$690.00

10. Fee Payment Being Made at This Time

Enclosed	
Filing Fee	\$690.00
Total Fees Enclosed	\$690.00

11. Method of Payment of Fees

Charge Account No. 50-0861 in the amount of \$690.00.
A duplicate of this transmittal is attached.

12. Instructions as to Overpayment

Credit Account No. 50-0861.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATION CLAIMED**

13. Relate Back

Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. Sections 120, 121 and 365(c)

"This application is a continuation of copending application Application number 09/419,421 filed on October 15, 1999."

14. Maintenance of Copendency of Prior Application

A. Extension of Time in Prior Application

A petition, fee and response extends the term in the pending **prior** application until May 22, 2001.

A **copy** of the petition filed in prior application is attached.


15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

- a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor in this application is the same.

16. Abandonment of Prior Application

Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

A notification of the filing of this continuation is being filed in the parent application, from which this application claims priority under 35 U.S.C. Section 120.


Signature of Practitioner

Huw R. Jones, Esq.
Ventana Medical Systems, Inc.
3865 N. Business Center Drive
Tucson, AZ 85705

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